



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ELHADJI OUSMANE TOUNKARA,

Plaintiff,

- against -

REPUBLIC OF SENEGAL, et al.,

Defendants.
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21-CV-8027 (LAK) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This order addresses Defendant's filing at Dkt. 64. The document is captioned as a motion to dismiss. Defendant previously has filed a motion to dismiss for which a decision has been issued and as a result of which this Court has been asked by the District Judge to consider two issues, both of which turn on specific facts relevant to assessing the Court's subject matter jurisdiction. There thus is no basis for a further motion to dismiss, which, in any event, is premised on the very jurisdictional factual findings the Court will be making. Accordingly, the purported motion to dismiss is a nullity, and Plaintiff need not respond.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: June 16, 2023
New York, New York

Copies transmitted this date to all counsel of record.